IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.03.2007

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE N. PAUL VASANTHAKUMAR

WRIT APPEAL No.2185 of 2003
and WAMP.No.3113 of 2003

Adhavan Processors Private Ltd.,
rep. by its Director
S. Selvarajan
Suriyampalayam
Chithode P.O. Erode 638 102. .. Appellant/Petitioner

vs.

1.The Managing Director
State Industries Promotion
Corporation of Tamil Nadu Ltd.
Rukmani Lakshmipathy Road
Egmore, Chennai 600 008.

2.The Special Tahsildar (Recovery)
State Industries Promotion
Corporation of Tamil Nadu Ltd.
Rukmani Lakshmipathy Road
Egmore, Chennai 600 008. .. Respondents/Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court dated 10.06.2003 made in W.P.No.16356 of 2003.

WP.No.16356/2003 :

Petitioner filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the Second Respondent culminated in and by his proceedings Ref.No.PF/F & R2/627/2033/ST(R) dated 02.06.2003 and quash the same.

For appellant : Mr. AR.L. Sundaresan,Sr.Counsel
for Ms. AL. Gandhimathi

For respondents : Mr. P.S. Sethuraman

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JUDGMENT

(Judgment of the Court was delivered by P. SATHASIVAM,J.)

The above writ appeal is directed against the order of the learned single Judge dated 10.06.2003 made in W.P.No.16356 of 2003, in and by which the learned Judge dismissed the writ petition with an observation.

2. Heard Mr. AR.L. Sundaresan, learned senior counsel for the appellant and Mr. P.S. Sethuraman, learned counsel for the respondents.

3. It is brought to our notice that the learned single Judge dismissed the writ petition after finding that the proceedings have been closed by the B.I.F.R. and no proceedings were pending on the date when the impugned order was passed. In view of the same it is stated that the petitioner filed appropriate petition before the B.I.F.R., which was dismissed by the said authority. It is also stated that against the order of B.I.F.R. now the appellant has preferred an appeal in Appeal No.10 of 2007 before A.A.I.F.R. The learned senior counsel has also brought to our notice the said appeal has been registered and the same will be heard by the said authority on 06.02.2007. According to him, the said appeal is still pending on the file of the said authority. In view of the same, we are of the view that no adjudication is required in this writ appeal, except the respondents are permitted to take further action depending on the outcome in the appeal.

with the above observation, the writ appeal is disposed of. No costs. Consequently, connected WAMP., is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

kh

To

1.The Managing Director
State Industries Promotion
Corporation of Tamil Nadu Ltd.
Rukmani Lakshmipathy Road
Egmore, Chennai 600 008.

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2.The Special Tahsildar (Recovery)
State Industries Promotion
Corporation of Tamil Nadu Ltd.
Rukmani Lakshmipathy Road
Egmore, Chennai 600 008.

1 cc To M/S.AL.Gandhimathi, Advocate, SR.17356.

W.A.No.2185 of 2003

GK(CO)
RVL 23.03.2007

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